

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
3 AMELIA L. BIZZARO
Assistant Federal Public Defender
4 Wisconsin State Bar No. 1045709
411 E. Bonneville, Ste. 250
5 Las Vegas, Nevada 89101
6 (702) 388-6577
6 (702) 388-5819 (fax)
7 amelia_bizzaro@fd.org
8 Attorney for Petitioner Hector Jardine

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

12 HECTOR LEONARD JARDINE,
13 Petitioner,
14 v.
15 BRIAN WILLIAMS, *et al.*,
16 Respondents.

Case No. 2:16-cv-02637-RFB-NJK

**Unopposed Motion for Extension of
Time to File Amended Petition for Writ
of Habeas Corpus**

(First Request)

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18 Petitioner Hector Leonard Jardine moves this Court for an extension of time
19 of 120 days from February 22, 2018, to and including June 22, 2018, to file an
20 Amended Petition for Writ of Habeas Corpus.
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22 **POINTS AND AUTHORITIES**

23 1. Following a four-day jury trial, Mr. Jardine was convicted of one count
24 each of attempt murder with use of a dangerous weapon, burglary, first-degree
25 kidnapping with use of a dangerous weapon and with substantial bodily harm, and
26 sexual assault with use of dangerous weapon. He was sentenced to a total of 50 years
to life.

1 2. On December 12, 2017, this Court appointed the Federal Public
2 Defender as counsel for Mr. Jardine. ECF No. 10. Undersigned counsel filed a Notice
3 of Appearance on January 18, 2018, replacing Attorney Megan Hoffman, who first
4 appeared on January 5, 2018. *See* ECF Nos. 13, 15.

5 3. This is Mr. Jardine's first request for an extension of time.

6 4. This is a complex habeas corpus case, which requires counsel and staff
7 to gather and review voluminous files and court records. This office is still in the
8 process of gathering, reviewing, and coding the voluminous records in this case, which
9 will take a significant period of time.

10 5. On February 7, 2018, we downloaded the available record and requested
11 the court minutes and left side of the file from the Eighth Judicial District, as is our
12 practice. We received the requested materials on February 14, 2018.

13 6. On February 7, 2018, we downloaded all available files from the Nevada
14 Supreme Court. On that same day, we requested the materials related to Mr.
15 Jardine's petition for rehearing and petition for en banc reconsideration. We have not
16 yet received those materials.

17 7. On February 7, 2018, we requested Mr. Jardine's files from the Clark
18 County Public Defender's Office and Atty. Conrad Claus. Only the Public Defender's
19 Office responded. Given the difficulties Mr. Jardine had with Atty. Claus, as
20 described in his response to this Court's show cause order, counsel expects we may
21 have similar difficulties.

22 8. We learned on February 14, 2018, that the Public Defender's Office gave
23 their file to another attorney, Keith Brower. We requested the file from him on
24 February 15, 2018, but haven't yet heard back.

25 9. The paralegal staffed to the case is responsible for loading all of the files
26 we have into our database and coding them. She has been unable to do that in light
of other deadlines, and the way that cases that come into the unit are prioritized.

1 Counsel does not expect this matter will be in our system until April, at the earliest.
2 Once it's in our system, counsel will be able to determine what, if any, transcripts are
3 missing and must be ordered.

4 10. Because counsel does not yet have the complete record or files from prior
5 counsel, she has been unable to review the case. Upon receiving those files, the review
6 will take considerable time.

7 11. Counsel has spoken to Mr. Jardine on the telephone, but is not planning
8 to visit him until she has been able to review the relevant portions of the record.

9 12. This request will permit counsel and her office to obtain the necessary
10 files, organize them so they may be reviewed, and for counsel to begin reviewing them.
11 It will also permit her time to meet with Mr. Jardine in person and to order any
12 necessary transcripts.

13 13. The additional period of time is necessary in order to effectively and
14 thoroughly represent Mr. Jardine. The motion is not filed for the purposes of delay
15 but in the interests of justice, as well as the interests of Mr. Jardine.

16 14. On February 21, 2018, counsel e-mailed Assistant Solicitor General
17 Jeffrey M. Connor regarding this request. He responded that he does not have any
18 objection, with the understanding that his lack of objection is not a waiver or
19 concession of any kind.
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1 Dated this 22nd day of February, 2018.

2 Respectfully submitted,

3 RENE L. VALLADARES
4 Federal Public Defender

5 /s/Amelia L. Bizzaro

6 AMELIA L. BIZZARO
7 Assistant Federal Public Defender

8
9 IT IS SO ORDERED:

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12 RICHARD F. BOULWARE, II
United States District Judge

13 Dated: February 27, 2018.
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I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following non-CM/ECF participants:

/s/ Jessica Pillsbury
An Employee of the
Federal Public Defender